

gene encoding CYP2A activity; and (iii) substances which delete all or a portion of the gene encoding CYP2A,

wherein (a) and (b) are administered contemporaneously and (b) is administered in an amount of about 0.01 mg/kg to 80 mg/kg.

24. A kit in the use in the method of claim 22 or 23 comprising (a) nicotine and (b) one or more substances selected from the group consisting of (i) substances which inhibit CYP2A activity; (ii) substances which inhibit transcription, translation of the gene encoding CYP2A, or both; and (iii) substances which delete all or a portion of the gene encoding CYP2A,

wherein (a) and (b) are administered contemporaneously.

35. (New) The method for enhancing the effectiveness of nicotine replacement therapy according to claim 22 further comprising substances which inhibit CYP2B6 activity, substances which inhibit transcription and/or translation of the gene encoding CYP2B6, or a combination thereof.

36. (New) The method according to claim 35, wherein the substances is selected from phenylethyl amines, diphenylbarbiturates, diethyl substituted barbiturates, or hydantoins.

REMARKS

Claims 1-34, as amended, and new claims 35 and 36 appear in this application for the Examiner's review and consideration. Claims 22 and 24 have been amended to more particularly point out the claimed subject matter and to correct inadvertent minor spelling and editorial errors, but no new matter has been added. Claim 22 has been amended to recite wherein (a) and (b) are administered contemporaneously and (b) is administered in an amount of about 0.01 mg/kg to 80 mg/kg. The amendment to claim 22 is supported in the specification at p. 26, ll. 14-18. New claims 35 and 36 are supported in the specification at p. 16, ll. 26-31 and p. 16, l. 37 to p. 17, l. 1.

In response to the Election, Applicants maintain that the restriction is improper and therefore, should be withdrawn for the reasons given in the Response to Restriction Requirement dated October 26, 2001. In particular, Applicants noted that claims 22 and 24 are directed to the same class and subclass, yet contrary to established restriction practice are